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15 UNITED STATES DISTRICT COURT  
16 NORTHERN DISTRICT OF CALIFORNIA  
17 SAN JOSE DIVISION  
18

19 DAVID ALMEIDA, individually and on  
20 behalf of all others similarly situated,

21 Plaintiff,

22 v.

23 GOOGLE INC., a Delaware corporation; and  
24 DOES 1 through 10, inclusive,

25 Defendants.  
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Case No. C 08-02088 RMW

**STIPULATION AND [PROPOSED]  
ORDER MODIFYING CASE SCHEDULE**

1 WHEREAS, at the case management conference on August 15, 2008, the parties jointly  
2 submitted a proposed schedule which the Court subsequently adopted;

3 WHEREAS, since that time, the parties have been diligently pursuing discovery;

4 WHEREAS, discovery in this matter is taking longer than the parties originally  
5 anticipated;

6 WHEREAS, Google has to date produced approximately 180,000 pages of documents,  
7 but believes that additional information still remains to be identified, collected, and produced in  
8 response to Plaintiff's document requests;

9 WHEREAS, no previous extensions to the case schedule have been requested;

10 NOW THEREFORE, pursuant to the agreement of the parties:

11 IT IS HEREBY STIPULATED THAT, the Scheduling and Case Management Order  
12 should be amended to adjust the dates by approximately 120 days, with new dates set as follows:

- 13 • Plaintiff shall file and serve (1) any expert report(s) on class certification; and  
14 (2) his motion for class certification no later than August 3, 2009.
- 15 • Defendant shall file and serve (1) any expert report(s) on class certification; and  
16 (2) its opposition to class certification no later than September 4, 2009.
- 17 • Plaintiff shall file and serve his reply in support of the motion for class  
18 certification no later than September 21, 2009.
- 19 • The parties shall conduct a mediation on or before October 9, 2009.
- 20 • The hearing on Plaintiff's motion for class certification before the Court shall take  
21 place on October 19, 2009, or at another date set by the Court.
- 22 • Non-expert discovery shall be completed no later than March 2, 2010.
- 23 • Expert opening reports shall be submitted by March 9, 2010.
- 24 • Expert opposition reports shall be submitted by March 23, 2010.
- 25 • Expert reply reports shall be submitted by April 6, 2010.
- 26 • Expert discovery shall be completed no later than April 13, 2010.

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SO STIPULATED.

Dated: \_\_\_\_\_

KABATECK BROWN KELLNER LLP

By: /s/ Alfredo Torrijos  
ALFREDO TORRIJOS  
Attorneys for Plaintiff and the  
Proposed Class  
DAVID ALMEIDA

Dated: \_\_\_\_\_

KEKER & VAN NEST, LLP

By: /s/ David J. Silbert  
DAVID J. SILBERT  
Attorneys for Defendant  
GOOGLE INC.

**[PROPOSED] ORDER**

IT IS SO ORDERED.

Dated: \_\_\_\_\_, 2009

\_\_\_\_\_  
HON. RONALD M. WHYTE  
UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF  
CALIFORNIA